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Zachary Hile

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ZACHARY HILE, on behalf of himself and
all others similarly situated,

Plaintiff,

vs.

MAX RAVE, LLC and G+G RETAIL,
INC.,

Defendants.

Case No. 07-CV-00738 (JSW)

**STIPULATION OF DISMISSAL AND
[~~PROPOSED~~] ORDER**

Complaint Filed: February 5, 2007
Trial Date: None Set

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STIPULATION OF DISMISSAL

Pursuant to Fed. R. Civ. P. 41(a)(1)(ii), Plaintiff Zachary Hile (“Plaintiff”) and Defendant Max Rave, LLC (“Defendant”) hereby stipulate and agree to the dismissal of Plaintiff’s individual claims against Defendant in this action *with prejudice*,¹ and with each party bearing its own costs and fees. Plaintiff’s putative class claims against Defendant are dismissed without prejudice to the rights of any of the members of the putative class, and with each party bearing its own costs and fees.

Dated: September 8, 2008

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Dated: September 8, 2008

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¹ The claims against Defendant G+G Retail, Inc. were voluntarily dismissed by Plaintiff on May 24, 2007. (See Document 13-1).

ORDER

IT IS HEREBY ORDERED that Plaintiff Zachary Hile's ("Plaintiff") individual claims against Defendant Max Rave, LLC ("Defendant") be dismissed with prejudice, and with each party bearing its own costs and fees. Plaintiff's putative class claims against Defendant are dismissed without prejudice to the rights of any of the members of the putative class and each party shall bear its own costs and fees. Thus, this action is dismissed.

Dated: September 8, 2009



HON. JEFFREY S. WHITE
U.S. DISTRICT COURT JUDGE